

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, March 11, 2009 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Felicia A. Moore, Vice Chair Jim Glass, CFO
 Councilmember Jim Maddox Departmental Staff
 Councilmember Carla Smith
 Councilmember Clair Muller
 Councilmember Cleta Winslow

Absent: Councilmember Howard Shook

Vice Chairperson Moore called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Jim Maddox, Carla Smith, Clair Muller and Cleta Winslow. Other Departmental staff was present as well.

The Agenda was adopted as printed with the addition of three new Resolutions and one new First Read Ordinance. Minutes of the February 25, 2009 Finance/Executive Committee were adopted as well.

DISCUSSION ITEM

LEGISLATIVE UPDATE, MEGAN MIDDLETON

Ms. Megan Middleton: Mayor's Office of Intergovernmental Affairs Manager addressed the Committee by stating that she will give a full update at the next Finance/Executive Committee meeting. **HB 371 (Pension Fund Investment Bill)** passed out of the House. **HB 53** passed out of the House as well. Councilmember Maddox asked about the video gambling at Underground. Ms. Middleton responded that we are awaiting approval from the Lottery Board. Councilmember Moore stated that we have legislation to vote on.

ATLSTAT DEMONSTRATION – DAVID EDWARDS

Mr. David Edwards: Mayor's Office Program Manager addressed the Committee by stating that we have a system that will track our performance. We meet every Monday morning.

Ms. Duriya Farooqui: of the Office of the Mayor addressed the Committee by stating that the report is given to the senior staff. You can click to review a video. It also provides data on how to interpret the information. You can review information by the Department. The mission is presented. At the bottom of the page there is a link to the score card. She then passed out a handout. The video will walk you through. The home page has links to other parts of the Country as well. There is a section for internet users to contact us. The link is for internal users only. It is for ATL analysts and representatives. Councilmember Maddox asked if it will be on the web. Ms. Farooqui responded that at this time we don't know. We will do our best to do that. Vice Chairperson Moore asked when will it go on line. Ms. Farooqui responded about a week from now.

2008 COMPREHENSIVE ANNUAL FINANCIAL REPORT-JIM GLASS

CFO Glass stated that the entire CAFR has been put on the website. It focuses on the CAFF surface. He wants to start with the General Fund balance, which is in a deficit. The General Fund had a \$94 million dollars ending balance. We presented the unaudited fund balance of \$52.3 million dollars. We have two prior period adjustments. We had a subtotal of \$46.6 million dollars. We had the overtime settlement. Of the \$10.1 million dollars, \$4.4 million dollars were for encumbrances. He was concerned with the substantiation to collect the cash for it. It was a current

receivable. We went back to 2002 and there was not substantiation for that receivable. He then asked Ms. Leslie Ward to help us to research it. The level of the fund balance concerns him. There were three groups in agreement of the fund balance. He, the Auditor and the Rating Agency were concerned about it. The fund balance is \$5.7 million dollars. Councilmember Muller stated that it is helpful to add that online. CFO Glass responded that he would do it as a foot note. The next page is our troubling fund. E-911 was a broken fund in 2007. It has never covered the full range of the services. In 2007, we had a \$34.1 million dollars deficit and we transferred \$7.6 million dollars and the ending balance is \$33.5 million dollars deficit. Underground Atlanta dates back before the 2002 CAFR. The ending balance is \$13.3 million dollars. We do need to get them refinanced. The fund balance is \$52 million dollars. We have been paying the Debt Service. He found out that we did not accrue revenue during the year 2006 because it was accounted for on a cash basis, which is a certain balance. Under accruals, when you receive the goods you have to pay that expense at a later date. Cash is on a paid basis. In 2006, there was an entire half a year gone when we changed the fiscal year. Enterprise Funds were supposed to be on an accrued basis. We have an operating surplus that pulled the fund down. The key is the \$54.6 million dollars cash negative. We have \$27 million dollars for the closure of the landfill, but it is not in cash. Councilmember Muller stated that we should have a discussion before the Budget Hearings. CFO Glass responded that the next one is the Capital Finance Fund. It has an impact on cash. There was a \$29.7 million dollars deficit fund balance. In 2006, we went from a calendar fiscal year to mid calendar fiscal year. December 2007 was July 1st 2006 to June 30th 2007. There were funds available not to have a \$62 million dollars deficit. The plan was to fund \$20 million dollars from the GMA to fund some of Oracle, rolling stocks and City Hall East. City Hall East got caught up in the real estate market. He found that they were bumping up against their debt level. Vice Chairperson Moore asked if you asked the Auditor to look into it. Who authorized the purchase of vehicles without the money being there? CFO Glass responded that the Auditor stated that the funding was anticipated. Councilmember Muller stated that it should be a guaranteed anticipation. CFO Glass responded that there should be controls in place. The Auditor has taken it as far as she can.

Ms. Leslie Ward: City Internal Auditor addressed the Committee by stating that she has discussed many issues with CFO Glass. Several months before Finance gave us documents regarding these issues. We have a memo that gets at some of the background regarding this. CFO Glass added that right now the policy is taking the request and saying no. He is looking at \$146 million dollars negative. Next year he will include a section on the cash pool and show the equity amounts of it. We have enclosed the MOUs. Cash Pool is a pooling of all cash and funds. The \$116 million dollars in MOUs was when the books were closed. It can change. It is used by many governments. It reduces the bank to invest short term. It is short term borrowing as well. The ending balance is \$116 million dollars deficit and in 2006 it was a deficit of \$65 million dollars. The Auditor's seen this and we need to enter into a form of repayment. We also want to issues some TANs. It has to be closed out monthly and balanced. We will go out for the TANs in June. Councilmember Muller asked if there is any problem with credit and the ability to borrow. CFO Glass responded that our credit rating is A.

Mr. Wayne Placid: addressed the Committee by stating that he is with Southwest Company stating that the rating is -AA. You will have access to the market. Councilmember Moore asked if the product is out there and available. Mr. Placid responded that there will be investors available, but they are looking for a higher yield than before. CFO Glass asked how high. Mr. Placid responded it is estimated about 50 to 60 base points. It is a .6 for half a point. The base would be in the 5% range. Continuing, CFO Glass stated next is the cash flow timing difference. Until we bill the necessary Reserves, this is something that needs reinstituting again. Solid Waste should have advanced billing. We tried billing internally, but we were not successful. Councilmember Maddox asked about the monthly billing. CFO Glass responded that bi-monthly is one way, but you would have to hire people to do it. Dr. Ferdinand can collect it with the tax piece. Next year it is going to be tight. The remaining negative is

\$10 million dollars. We do target a surplus on everything we propose a budget for. The City would need about \$100 million dollars in the General Fund. We budget a 5% Restricted Reserve. If we get ourselves to achieve that amount, you can achieve \$100 million dollars over 4 to 5 years. The revenues will turn. Vice Chairperson Moore asked about having declining reserves and operating deficits with an economic growth. CFO Glass responded that page #150 states that the general fund balance was \$150 million dollars, next year it will be \$142 million dollars and in 2006 it was \$92.9 million dollars. You have a deficit from an operating fund. Councilmember Muller stated that at the beginning we talked about putting money into the Reserves. CFO Glass responded that they are referring to the Pension Unfunded Liability. We put cash into the Pension Fund based on the actuary. He didn't address it because we are contributing what we are supposed to be. Some of what has to be done has to be done with new employees and changing the State statute. The budget was not balanced with revenues. There was a General Fund balance of \$94 million dollars and a piece of it was moved and used to fund expenses. Councilmember Moore stated that a lot of this has not been shared when we were trying to adopt the budget. Ms. Ward added that it was apparent in 2008. When we started doing one recommended practice we should have been forecasting. The City was way over estimating every year. We were spending the fund balance. Councilmember Moore stated that we did not have a good revenue number. Ms. Ward responded that the tendency was to get liberal. Vice Chairperson Moore stated that we need a solution. CFO Glass responded that we don't have a solution. It shows that the City does not have a good track record and now that you are in hard times we are to be concerned about you. It is not a bad rating, but we need to establish a track record of operating in the black. As the economy turns, it would cure the deficits. They are telling us that what we have done in the past is our track record. Councilmember Muller asked if they are aware of the changes we made last year. Vice Chairperson Moore responded yes, they are. CFO Glass added that they asked how did we cure our deficit and stay in the black. He stated that we would have to dip into the Reserve. Councilmember Moore stated that the Council needs to be involved in it. CFO Glass responded that we will have a meeting with Chairperson Shook to discuss it. Vice Chairperson Moore asked about the housing market not taking a toll now, but in 2010. CFO Glass responded yes, Mr. Donaldson is working closely with Fulton County. Councilmember Winslow stated that she is disturbed about our bond ratings. We were told that there was a possibility for our ratings to shift. Did we spend everything including the Reserves? CFO Glass responded that there is a Reserve in the Fund Balance that is small. Page #150 of the CAFR is that the budgeted Restricted Reserves were dipped into and had a deficit. He will provide the numbers. Non Departmental costs 23% of the budget, Public Safety is 54% of the budget and Council is 2% of the budget, which means that 79% of the budget is of those elements and everything else is 21%. Councilmember Moore stated that if you cut out 20% that is not public safety, it would not be much. The Mayor has stated that 56% to 58% is personnel costs. Councilmember Maddox stated that we are talking about 23% of taxes we get means that the solution is new sources of revenue. The only opportunity is new sources of revenues. We are trying everything we can to allow for other options. CFO Glass responded that we are talking about areas where we can cut services.

TO APPOINT MS. CASSANDRA LAWSON TO SERVE AS A PROCUREMENT APPEALS HEARING OFFICER

09-C-0475 (1)

A Communication by Mayor Shirley Franklin appointing **Ms. Cassandra Lawson** to serve as a Procurement Appeals Hearing Officer for the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

FAVORABLE

Ms. Cassandra Lawson: addressed the Committee by stating that this is her first appointment as a Procurement Appeals Hearing Officer. She is a City of Atlanta

resident and she served on another Board. Councilmember Maddox offered a motion to **Approve, 4 Yeas.**

CONSENT AGENDA

TO AMEND CHAPTER 114, PERSONNEL, ARTICLE “V”, CLASSIFICATION PLAN OF THE CODE OF ORDINANCES

09-O-0453 (1) An Ordinance by Finance/Executive Committee to amend Chapter 114, Personnel, Article “V”, Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to transfer positions, in line with the 2009 Budget; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REFUND (\$6,824.00) TO MS. BETTY MAPPS

09-O-0454 (2) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to refund six thousand eight hundred twenty four dollars and no cents (\$6,824.00) to Ms. Betty Mapps for overpayment of Sanitary Service Charges for property located at 703 Waterford Rd Parcel Identification Numbers 1402400001008.

FAVORABLE ON FIRST READ

TO CREATE A SPECIAL REVENUE REFUND

09-O-0455 (3) An Ordinance by Finance/Executive Committee to create a Special Revenue Fund to be known as the “Building Permit Technology Surcharge Special Revenue Fund” for the purpose of accounting for the proceeds of the technology surcharge collected by the Bureau of Buildings as well as for the expenditure of such proceeds as provided herein; and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE ATLANTA CITY EMPLOYEES CREDIT UNION

09-O-0456 (4) An Ordinance by Finance/Executive Committee authorizing the Mayor to enter into a Lease Agreement with the Atlanta City Employees Credit Union for approximately 1,068 square feet of office space at 226 Peachtree Street, SE, in Land Lot 77 of the 14th District of Fulton County, Georgia; and for other purposes.

FAVORABLE ON FIRST READ

TO WAIVE ARTICLE X (“THE PROCUREMENT AND REAL ESTATE CODE”) OF THE ATLANTA CITY CODE

09-O-0457 (5) An Ordinance by Finance/Executive Committee authorizing the Mayor or her Designee to waive Article X (“The Procurement and Real Estate Code”) of the Atlanta City Code in order to enter into an Agreement with ING Financial Services pursuant to the Atlanta City Charter § 6-402 and to ratify prior services performed by ING Financial Services since January 1, 2009 for FC-7339-01, Defined Contribution Plan, on behalf of the Department of Finance, in an amount not to exceed sixty

thousand dollars and no cents (\$60,000.00); all contracted work will be Charged To and Paid From Fund, Account and Center Number 1001 (General Fund) 5212001 (Consultant/Professional Services) 1580000 (Unallocated Fund Wide Expenses); and for other purposes.

FAVORABLE ON FIRST READ

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS

- 09-O-0458 (6) An Ordinance by Finance/Executive Committee to anticipate and appropriate Bond Proceeds in the amount of \$63,760,000 from the Westside Tax Allocation District (TAD) Bond Series 2008B; and for other purposes.

FAVORABLE ON FIRST READ

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS

- 09-O-0459 (7) An Ordinance by Finance/Executive Committee to anticipate and appropriate Bond Proceeds in the amount of \$64,500,000 from the Beltline Tax Allocation District (TAD) Bond Series 2008; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND THE 2009 BUDGET (COMMUNITY DEVELOPMENT FUND)

- 09-O-0460 (8) An Ordinance by Finance/Executive Committee to amend the 2009 Budget (Community Development Fund) by adding to Anticipations and Appropriations in the amount of twelve million three hundred sixteen thousand eighty-two dollars (\$12,316,082.00) under the Neighborhood Stabilization Program (NSP); and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND THE FISCAL YEAR 2009 BUDGET

- 09-O-0461 (9) An Ordinance by Finance/Executive Committee amending the Fiscal Year 2009 Budget by adding to Anticipation and Appropriation in Fiscal Year 2009 an additional funding amount of \$30,885.10 from interest earnings accumulated from the Escrow Account from the Solid Waste Management Refunding Bond Series 2008 for the purpose of Debt Service; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND THE 2009 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGETS

- 09-O-0462 (10) An Ordinance by Finance/Executive Committee amending the 2009 General Government Capital Outlay Fund Budgets in the Departments of Public Works, Police, Fire Rescue, Parks, Recreation and Cultural Affairs, and Planning and Community Development by transferring \$275,000.00 from the Reserve Appropriations Account (3502 200301 5999901 1540000) for the purpose of authorizing a City-Wide Impact Fee Study pursuant to FC-6007000050 which is to be administered by the Department

of Planning and Community Development; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND THE 2009 GENERAL GOVERNMENT CAPITAL OUTLAY FUND BUDGET

09-O-0463 (11) An Ordinance by Finance/Executive Committee amending the 2009 General Government Capital Outlay Fund Budget Department of Planning and Community Development by transferring between Accounts the current balance of three hundred forty nine thousand dollars and no cents (\$349,000.00) representing the Technology Surcharge Fees collected pursuant to 08-O-0875 in connection with building permit applications reviewed by the Bureau of Buildings.

FAVORABLE ON FIRST READ

REGULAR AGENDA

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE CITY, TO ACCEPT LOCAL ASSISTANCE GRANTS

09-O-0288 (1) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Mayor, on behalf of the City, to accept Local Assistance Grants in amount not to exceed \$105,000 (one hundred five thousand dollars) from the Georgia Department of Community Affairs; and amending the 2009 (Intergovernmental Grant Fund) Budget, Department of Grant Services, by adding to Anticipations and Appropriations in the amount not to exceed \$105,000 of Grant Funds from the Georgia Department of Community Affairs for the purpose of assisting Local Non-Profit Organizations to provide services to the Atlanta area; and for other purposes. **(Finance/Executive Committee Substitute breakdowns the amounts, 3/11/09)**

FAVORABLE ON SUBSTITUTE

Vice Chairperson Moore stated that we have a Substitute that breakdown the amounts. Councilmember Maddox offered a motion to **Approve on Substitute, 5 Yeas**. Vice Chairperson Moore stated that these are the ones for the City of Atlanta. Councilmember Smith asked why the County does not do their own. Vice Chairperson Moore responded that these are Local Assistance Grants and they pass thru us.

TO AMEND THE CODE OF THE CITY OF ATLANTA, GEORGIA

09-O-0477 (2) An Ordinance by Councilmembers Felicia A. Moore, Joyce Sheperd, Ceasar C. Mitchell, Anne Fauver, H. Lamar Willis, Ivory Lee Young, Jr., Clair Muller, Howard Shook, Cleta Winslow, Kwanza Hall, Jim Maddox, C.T. Martin and Mary Norwood to amend the Code of the City of Atlanta, Georgia by adding to Section 2-183(c); Department Heads under supervision and direction of the Mayor's exception responsibilities; and for other purposes.

FAVORABLE

Mr. Greg Pridgeon: Mayor's Office Chief of Staff addressed the Committee by stating that there is one word that needs amended out. In the Ordained Clause, the word "performance" needs to be amended. Vice Chairperson Moore stated that she wants to leave performance in there. If there is no problem, we would never get a report.

Councilmember Maddox asked why take it out. Mr. Pridgeon responded that the Mayor feels that it is ambiguous. Councilmember Smith stated that sometimes the word performance is not measurable. The definition is difference. Mr. Pridgeon reiterated that the Mayor feels it is ambiguous. Vice Chairperson Moore stated that the words are general and open. Councilmember Smith offered a motion to **Approve, 5 Yeas.**

TO AMEND SECTION 7 OF ORDINANCE 08-O-0744

09-O-0482 (3) An Ordinance by Councilmembers Howard Shook and Carla Smith to amend Section 7 of Ordinance 08-O-0744 to extend the time in which the City Internal Auditor may complete and release an Audit of the Department of Watershed Management to the Atlanta City Council; and for other purposes.

FAVORABLE

Ms. Ward stated that there was a provision in last year's budget to receive the Audit. The Audit is on the way. Because of the holiday, the work did not get on the way until January. The March date does not give us time to review the draft and make revisions. We will be well served to get the extra month. Councilmember Smith stated that she wants to give them enough time. She then offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE GSA CONTRACT #GS-35F-0232U

09-R-0464 (1) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize GSA Contract #GS-35F-0232U for the purchase of a one year (November 2008 thru December 2009) Support Renewal Agreement for Airdefense Wireless Intrusion System from Fishnet Security, Inc., for the City of Atlanta, Department of Aviation in an amount not to exceed \$23,610.56. The software and support purchase will be charged to and paid from FDOA: 5502 (Airport Renewal and Extension Fund), Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5424004 (Software 5,000+), Functional Activity 7563000 (Airport); and for other purposes.

FAVORABLE

Ms. Anita Williams: of the Department of Aviation addressed the Committee by stating that in the past we procured this through a purchase order. They are not under a current agreement. Vice Chairperson Moore asked if this is the first time. Ms. Williams responded that they have not done any work yet.

Mr. Dan Bailey: of the Department of Aviation addressed the Committee by stating that we had a lapse and we have to cover it from November to keep the contract. It is only \$23,000. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO RENEW THE COOPERATIVE PURCHASING AGREEMENT

09-R-0465 (2) A Resolution by Finance/Executive Committee authorizing the Mayor or her Designee to renew the Cooperative Purchasing Agreement made pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing the GSA Schedule GS-35F-0009T with Oracle USA Inc., for Oracle Contract #2016306, Rac Software Licenses and Support for the ERP Application, for 1 year from May 30th 2009 to May 29th 2010, on behalf of the Department of Information Technology in the amount not to exceed forty-six thousand one hundred fifty-six dollars and

seventy-nine cents (\$46,156.79); all contracted work shall be charged to and paid from 1001 (General Fund) 050102 (IT Administration) 54100001 (Consultant/Professional Services) 1535000 (Data Processing/Management Information System) and for other purposes.

FAVORABLE

Vice Chairperson Moore asked if this will be re-procured.

Mr. Dan Smith: Chief of Information Technology addressed the Committee by stating that this is for a multiple data base. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO RENEW THE COOPERATIVE PURCHASING AGREEMENT

09-R-0466 (3) A Resolution by Finance/Executive Committee authorizing the Mayor or her Designee to renew the Cooperative Purchasing Agreement made pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing the GSA Schedule GS-35F-0009T with Oracle USA Inc. for Oracle Contract #2118646, Oracle Database Software Licenses and Support for the ERP Application, for 1 year from April 8, 2009 to April 7, 2010, on behalf of the Department of Information Technology in the amount not to exceed fifty-four thousand four hundred dollars and thirty-four cents (\$54,400.34); all contracted work shall be charged to and paid from 1001 (General Fund) 050102 (IT Administration) 5410001 (Consultant/Professional Services) 1535000 (Data Processing/Management Information System) and for other purposes.

FAVORABLE

Mr. Smith stated that this is Oracle database software and it will be an annual expense. CFO Glass asked what does it mean if it is not approved. Mr. Smith responded that he would have to make a call to Oracle. This is an insurance policy. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO RENEW THE CONTRACTUAL AGREEMENT

09-R-0467 (4) A Resolution by Finance/Executive Committee authorizing the Mayor or her Designee to renew the Contractual Agreement with Dobbs Ram & Company pursuant to the Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, for the support and maintenance of the City of Atlanta's GTE VT-Prism Law Enforcement Software on behalf of the Department of Information Technology, in an amount not to exceed one hundred sixty thousand dollars and no cents (\$160,000.00); all contracted work shall be charged to and paid from Fund, Department, Organization and Account Number 1001 (General Fund) 050202 (IT Applications) 5213001 (Consulting/Professional Services-Technical) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE

Mr. Smith stated that this is the mainframe application for the Police Department. He envisioned that we will need this for another year. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1

09-R-0468 (5) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement No. 1 with First Southwest Asset Management, Inc., for FC-6005007955, Arbitrage Rebate Calculation Services, on behalf of the Department of Finance, at a base fee of \$1,750 per computation year plus additional charges for special services related to various Bond Issues; all contracted work to be charged to and paid from Various Capital Funds per Bond Issue; and for other purposes.

FAVORABLE

Ms. Maria Runnels: of the Office of Debt and Investment addressed the Committee by stating that this is for arbitrage rebates. Councilmember Smith offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1

09-R-0469 (6) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement No. 1 with First Southwest Company, for FC-6005007958-A, Financial Advisor to the City of Atlanta, on behalf of the Department of Finance, in an amount not to exceed one hundred eighty thousand dollars and no cents (\$180,000.00); all contracted work to be charged to and paid from various funds as supported by Department of Watershed Management and other Departments supported by General Obligation Funds; and for other purposes.

FAVORABLE

Ms. Runnels stated that this is a renewal for First Southwest. CFO Glass stated that there no time to go out for a RFP. Mr. Placid has been valuable. Councilmember Smith offered a motion to **Approve, 5 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1

09-R-0470 (7) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement No. 1 with Investment Management Advisory Group and Woodward Peachtree Capital Partners, for FC-6005007964, Swap Advisor, on behalf of the Department of Finance, in an amount not to exceed \$100,000 for one year plus one basis point of yield on each Swap up to \$100,000 per Swap completed for a maximum of \$200,000 for Swap transactions with two or more counterparties; all contracted work to be charge to and paid from Finance Fund, Department Organization and Account Numbers; and for other purposes.

FAVORABLE ON SUBSTITUTE

Ms. Dana Boone: Chief of Debt and Investment addressed the Committee by stating that this is a contract extension and will expire later this year. This is the first renewal option. It is spread between the Departments of Airport and Watershed. Councilmember Maddox asked when does the contract expire? Ms. Boone responded that we made a point to move on all of the contracts that will expire this year. It expires October 31st. We looked at the contracts and the relationships and want to maintain

and continue it. Vice Chairperson Moore asked if this is her last meeting. Ms. Boone responded yes. She then stated that she has enjoyed working here. Councilmember Maddox offered a motion to **Approve on Substitute, 5 Years.**

TO AUTHORIZE THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 1

09-R-0471 (8) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement No. 1 with Wachovia Bank, N.A., for FC-6006007879, Banking Services, on behalf of the Department of Finance; the fees associated with each account will be paid from the interest generated from that Account, and in the event that the fees exceed the interest earnings, then the fees will be paid from the Fund linked to that Account; and for other purposes.

FAVORABLE

Ms. Boone stated that this contract expires in December. It is the first renewal option. Councilmember Maddox offered a motion to **Approve, 4 Yeas, 1 Abstention.** Ms. Boone stated that they have not officially done a change over yet. We just work with the Wachovia team. The change should be later on this year.

TO OPPOSE HOUSE BILL 406

09-R-0488 (9) A Resolution by Finance/Executive Committee opposing House Bill 406 now being considered by the Georgia General Assembly; and for other purposes.

FAVORABLE

Ms. Middleton stated that this has passed out of the House Committee. It allows for the Service Delivery Act. It allows for the State of Georgia to issue permits for water providers. A new water system came on about a year ago. It is a general bill. It wants to bring the water system on line. Councilmember Smith offered a motion to **Approve, 4 Yeas.** Councilmember Muller stated that it should be stated that we participate with Fulton County and both of them are bringing in revenues.

TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC.

06-R-1667 (1) An **Amended** Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Amended and Held, 8/16/06 at the request of the Committee to allow time pending additional review)**

HELD

TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA

07-O-0138 (2) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to

Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07 at the request of the Department of Procurement for an additional study)**

HELD

TO PROVIDE FOR THE ANNEXATION OF 4605 BIRDIE LANE, SW

- 07-O-0623 (3) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of 4605 Birdie Lane, SW, Atlanta, Georgia, 30331, 0.404 acres of land located in Land Lot 61 of the 14th District of Fulton County to the corporate limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 3/28/07 to ensure annexation procedures are executed appropriately)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE ORKNEY/LANARK DRIVE COMMUNITY

- 07-O-0968 (4) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Orkney/Lanark Drive Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

HELD

TO AMEND ARTICLE V. CLASSIFICATION PLAN, OF THE CODE OF ORDINANCES

- 07-O-0974 (5) An Ordinance by Councilmember C.T. Martin **as Substituted by Finance/Executive Committee** to Amend Article V. Classification Plan, of the Code of Ordinances, City of Atlanta, Georgia, so as to create (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07 in conjunction with consideration of 2008 Budget)**

HELD

TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE IN THE AMOUNT OF \$4.50

- 07-O-1087 (6) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to allow the City to impose a verification/convenience fee in the amount of \$4.50 on credit cards users, on-line payment users, electronic check users, or interactive voice response users submitting payments for fees and/or fines imposed by the City of Atlanta such as those associated with traffic enforcement and Water and Wastewater City Services; to recover the cost the City pays to third-party vendors to process such payments; all collected funds will be deposited into various Fund, Account and Center Numbers; and for other purposes. **(Referred back to Finance/Executive Committee by Council, August 20, 2007); (Held, 8/29/07)**

HELD

TO ENCOURAGE MEMBERS OF THE UNITED STATES CONGRESS

- 07-R-1904 (7) A Resolution by Councilmember Joyce M. Sheperd that encourages Members of the United States Congress to support the Employee Free Choice Act which authorizes the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them. **(Held, 9/12/07 at the request of the Committee to discuss with the Author)**

HELD

TO SUPPORT H.R. 2447

- 07-R-2138 (8) A Resolution by Councilmember Ceasar C. Mitchell to support H.R. 2447 to establish an Energy and Environment Block Grant Program that is presently before the United States Congress; and for other purposes. **(Held, 10/10/07)**

HELD

TO ENDORSE HR 3535 HOMEBUYER'S PROTECTION ACT OF 2007

- 07-R-2139 (9) A Resolution by Councilmember Ceasar C. Mitchell to endorse HR 3535 Homebuyer's Protection Act of 2007 pending in the United States Congress; to urge the Georgia Congressional Delegation to support the Act; and for other purposes. **(Held, 10/10/07)**

HELD

TO RESCIND ORDINANCE 07-O-2410

- 08-O-0295 (10) An Ordinance by Councilmembers H. Lamar Willis, Anne Fauver, Felicia A. Moore, Natalyn Archibong and Ivory Lee Young, Jr. to rescind Ordinance 07-O-2410; and for other purposes. **(Held, 2/13/08)**

HELD

TO AUTHORIZE A TWELFTH SUPPLEMENTAL BOND ORDINANCE

- 08-O-0299 (11) An Ordinance by Councilmember Howard Shook authorizing a Twelfth Supplemental Bond Ordinance Supplementing the restated and amended Master Bond Ordinance of the City of Atlanta Adopted on March 20, 2000, as previously Amended and supplemented, to authorize the issuance by the City of Atlanta of its Variable Rate Airport General Revenue Refunding Bonds, Series 2008A, in one or more Series, in an aggregated principal amount of not to exceed \$550,000,000.00, each to bear interest in a Variable Rate Mode; to refund all or a portion of the City's Variable Rate Airport General Revenue Refunding Bonds, Series 2003RF-B and Series 2003RF-C; to provide for a reasonably required debt service reserve; to provide for the rights of the holders of said Bonds; to make certain other covenants and agreements in connection with the issuance of such Bonds; to provide certain terms and details of said Bonds, including authorizing delegated negotiated sales of said Bonds; to provide for the execution of certain agreements relating to one or more credit and/or liquidity facilities with respect to the Series 2008A

Bonds; to pay expenses relating thereto; to authorize the preparation, use and distribution of one or more preliminary and final official statements in connection with the offer and sale of the Series 2008A Bonds; to provide for the Annual Submission of certain Financial Information and Operating Data pursuant to Rule 15C2-12 of the Securities and Exchange Commission; to designate one or more underwriters and remarketing agents, and a tender and paying agent and to approve forms of various other agreements in connection with the issuance of said Bonds; providing for incidental action; providing for severability; to provide an effective date; and for other related purposes. **(Held 2/13/08 at the request of the Department of Finance pending an agreement with Bond Insurers and LOC Providers; Referred back to Finance/Executive Committee from Full Council 2/2/09); (Held, 2/11/09)**

HELD

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO PURCHASE PROPERTY

08-O-0402 (12) An Ordinance by Finance/Executive Committee authorizing the Chief Procurement Officer to purchase property located at 207/211 Vine Street and 601/605 Spencer Street, Atlanta, Georgia 30314; to provide for the appraisal of the property; to obtain title reports; to negotiate the purchase price of the property; to authorize the use of legal proceedings if necessary to obtain the property; to accept funds in the amount of \$725,000.00 from the Atlanta Development Authority to be applied towards the purchase of the property; and for other purposes. **(Held, 3/12/08)**

HELD

TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERN- MENTAL AGREEMENT

08-R-0510 (13) A Resolution by Councilmembers Howard Shook and Cleta Winslow authorizing the Mayor to enter into an Intergovernmental Agreement with the Fulton County District Attorney for a period of three years in an amount not to exceed twenty six thousand dollars and no cents (\$26,000.00) per month for services for the City of Atlanta under for Consultation and Support Services to Victims and Witnesses of Crime; all contracted work to be Charged and and Paid From Fund, Account and Center Number 3P01 (Agency Fund) 264017 (Muni Court VW ASST PRG (MCVW) A00001 (Balance Sheet Center); and for other purposes. **(Held, 3/12/08)**

HELD

TO ESTABLISH AND IMPLEMENT A CONST NEUTRAL DEFERRED RETIREMENT OPTION RETIREMENT PLAN

08-O-0736 (14) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to engage on behalf of the City of Atlanta to establish and implement a Cost Neutral Deferred Retirement Option Retirement Plan as an additional benefit for the members of the City of Atlanta Firefighter's Pension Fund and the City of Atlanta Police Officers Pension Fund; and for other purposes. **(Held, 5/14/08)**

HELD**TO PROVIDE FOR THE ISSUANCE AND SALE OF TAX ALLOCATION BONDS**

- 08-O-0822 (15) An Ordinance by Councilmember Felicia A. Moore to provide for the Issuance and Sale of Tax Allocation Bonds (Perry Bolton Project), Series 2008, in the aggregate principal amount not to exceed \$1_____ (the "Series 2008 Bonds"), to pay, or to be applied or contributed toward, the payment of redevelopment costs associated with the Projects identified on Schedule 1 hereto (the "2008 Projects"); to authorize paying expenses incident to accomplishing the foregoing; to authorize the execution of a Indenture of Trust, a Bond Placement Agreement, Separate Development Agreements with the developers of each of the 2008 Projects and approving the use and distribution of a Preliminary Limited Offering Memorandum and Final Limited Offering Memorandum; to clarify the intent of the initial Resolution (as defined herein) with respect to the termination of the Perry Bolton TAD (as defined herein) and for certain other purposes, all in connection with the Issuance and Sale of the foregoing described Series 2008 Bonds. **(Held, 4/30/08)**

HELD**TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA**

- 08-O-0829 (16) An Ordinance by Howard Shook to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1. Et Seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 GA. Laws P. 4469, Et Seq., by amending Article 2, Chapter 3, Section 2-302© so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in an increase in taxes, fees, or bond indebtedness; and for other purposes. **(3rd Reading/Final Adoption); (Referred back by Council, 7/7/08); (Held, 7/16/08)**

HELD**TO AMEND CHAPTER TWO, ARTICLE VI, DIVISION 2, SUBDIVISION II, SECTION 2-351**

- 08-O-0830 (17) An Ordinance by Howard Shook to amend Chapter two, Article VI, Division 2, Subdivision II, Section 2-351 (Entitled, "Authorization to Issue Commercial Paper.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in an increase in Bond Indebtedness; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

HELD**TO AMEND CHAPTER 146, DIVISION 1, ARTICLE II, SECTION 146-26**

- 08-O-0831 (18) An Ordinance by Howard Shook to Amend Chapter 146, Division 1, Article II, Section 146-26 (Entitled, "Levy."), Chapter 146, Article II, Section 146-79 (Entitled, "Levied.") and Chapter 146,

Article IV, Section 146-113 (Entitled, "Excise Tax Levied; Collection.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in an increase in taxes; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

HELD

TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION 1, SECTION 2-69

08-O-0833 (19) An Ordinance by Howard Shook to amend Chapter Two, Article II, Division 2, Subdivision I, Section 2-69 (Entitled, "Quorum; Vote Required for Passage of Legislation.") and Chapter Two, Article II, Division 2, Subdivision II, Section 2-96© (Entitled, "Presence at Meetings; Voting on Questions.") of the Code of Ordinances of the City of Atlanta, so as to require an Affirmative Vote of two-thirds of the total membership of the City Council to approve any ordinance that would result in new fees and taxes or an increase in existing taxes, fees, or bond indebtedness; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

HELD

TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION - 105

08-O-0834 (20) An Ordinance by Councilmember Howard Shook as amended by Finance /Executive Committee to amend Chapter Two, Article II, Division 2, Subdivision II, Section 2-105 (Entitled, "Establishment or Change in Fees for Service; Notice to Public.") of the Code of Ordinances of the City of Atlanta, so as to require an affirmative vote of two-thirds of the total membership of the City Council to approve any Ordinance that would result in new fees and an increase in fees; and for other purposes. **(Referred back by Council, 7/7/08); (Held, 7/16/08)**

HELD

TO REQUIRE NOTICE IN CITY CONTRACTS

08-R-1233 (21) An Ordinance by Councilmembers Felicia Moore, Carla Smith, Joyce Sheperd, H. Lamar Willis, C.T. Martin, Natalyn Archibong, Ivory Lee Young, Jr., Ceasar C. Mitchell, Howard Shook, Clair Muller and Kwanza Hall to require notice in City Contracts regarding the requirements for Legislative Authorization in advance of rendering services of demand for payment; and for other purposes. **(Held 6/11/08 at the request of the Committee to allow Law Department to provide additional information.)**

HELD

TO AMEND THE FY 2009 BUDGET

08-O-1446 (22) An Ordinance by Councilmember C.T. Martin to amend the FY 2009 Budget so as to add to the Budget, Funding of the Judicial Agencies in the amount of \$350,000.00; to reduce the adopted

Budget by said amount; and for other purposes. **(Referred back by Full Council, 2/16/09); (Held, 2/25/09)**

HELD

TO AMEND THE PENSION ACTS APPLICABLE TO MEMBERS OF THE GENERAL EMPLOYEES PENSION FUND

08-O-1545 (23) An Ordinance by Councilmember C.T. Martin to amend the Pension Acts applicable to members of the General Employees Pension Fund of the City of Atlanta, so as to provide for a Retirement Program for employees involuntarily separated to balance the City of Atlanta 2009 and 2010 Fiscal Year Budgets and for Reorganization of the Workforce; and for other purposes. **(Held for Actuary Report, 7/30/08); (File, 2/11/09); (Referred back from Full Council, 2/16/09); (Held, 2/25/09)**

HELD

TO AMEND THE FY 2009 (GENERAL FUND) BUDGET

08-O-1546 (24) An Ordinance by Councilmembers Felicia A. Moore, Cleta Winslow, Joyce M. Sheperd, H. Lamar Willis, Mary Norwood, Ivory Lee Young, Jr., Ceasar C. Mitchell, Anne Fauver, Natalyn Archibong and Kwanza Hall to amend the FY 2009 (General Fund) Budget to reestablish the Department of Fire and Rescue Special Operations Squad by transferring appropriations from various non-personnel accounts yet to be determined to the Department of Fire and Rescue Budget Fund Department Account and Organization Number; and for other purposes. **(Held, 7/30/08)**

HELD

TO AMEND THE FY 2009 (GENERAL FUND) BUDGET

08-O-1688 (25) An Ordinance by Councilmember Ceasar C. Mitchell to amend the FY 2009 (General Fund) Budget to reopen and maintain Atlanta Fire Station No. 7 by Transferring Appropriations from various Consulting, Supply, Travel and Other Non-Personnel Accounts yet to be determined to the Department of Fire and Rescue Budget Fund Department Account and Organization Number; and for other purposes. **(Forward with no Recommendation, 8/27/08); (Forwarded back by Full Council, 9/2/08); (Held, 9/10/08)**

HELD

TO ESTABLISH A CITY OF ATLANTA TAXATION AND SERVICE DELIVERY TECHNICAL ADVISORY COMMITTEE

08-R-1752 (26) A Resolution by Councilmember Mary Norwood establishing a City of Atlanta Taxation and Service Delivery Technical Advisory Committee; and for other purposes. **(Held, 9/10/08)**

HELD

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ACCEPT A DONATION IN THE AMOUNT OF \$

- 08-O-2034 (27) An Ordinance by Councilmember Cleta Winslow authorizing the Mayor or her Designee to accept a donation in the amount of \$_____ from the Atlanta Fire Foundation on behalf of the Atlanta Department of Fire and Rescue to fund the renovation of Fire Station #7; and for other purposes. **(Held, 10/15/08)**

HELD

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A CONTRACTUAL AGREEMENT

- 08-R-2108 (28) A Resolution by Finance/Executive Committee authorizing the Mayor or her Designee to enter into a Contractual Agreement with Iron Mountain to provide for the removal of all records from City Hall East and to store the City's Records in accordance with the various approved retention schedules; said expense associated with this Contract shall be Charged To 1001 (General Fund) 200313 (NDP Records Management) 5212001 (Consultant/Professional Services) 1580000; and for other purposes. **(Held, 10/29/08)**

HELD

TO AMEND CHAPTER 114 ARTICLE IV DIVISION 12 SECTION 14-379 OF THE CODE OF ORDINANCE OF THE CITY OF ATLANTA

- 08-O-2135 (29) An Ordinance by Councilmembers H. Lamar Willis and C.T. Martin to amend Chapter 114 Article IV Division 12 Section 14-379 of the Code of Ordinance of the City of Atlanta so as to provide for Written Justification and Hearing for any Reduction In Force by Executive or Legislative Actions involving Public Safety and Court Employees; to waive conflicting Ordinances; and for other purposes. **(Held, 10/29/08); (Held and Substituted, 11/12/08)**

HELD

TO AMEND ARTICLE "V" CLASSIFICATION PLAN, SECTION 114-477

- 08-O-2257 (30) An Ordinance by Councilmember C.T. Martin to amend Article "V" Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to create a Classification and Position of Economist; and for other purposes. **(Held, 11/12/08)**

HELD

A FOURTEENTH SUPPLEMENTAL BOND ORDINANCE

- 08-O-2406 (31) An Ordinance by Finance/Executive Committee Fourteenth Supplemental Bond Ordinance supplementing the Restated and Amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000 (99-O-1896), as previously amended and supplemented, particularly as supplemented specifically by that certain Amended and Restated Third Supplemental Bond Ordinance of the City of Atlanta adopted on May 19, 2003 providing for, among other things, the issuance and delivery of the City of Atlanta Variable Rate Airport General Revenue

Refunding Bonds Series 2003RF-B and the City of Atlanta Variable Rate Airport General Revenue Refunding Bonds Series 2003RF-C; to authorize the cancellation of the existing MBIA financial guaranty insurance policy insuring said Series 2003RF Bonds and approving the form and authorizing the execution of a cancellation agreement; to authorize the acceptance by the City of a commitment to issue a financial guaranty insurance policy from assured guaranty Corp. and approving the form and authorizing the execution of an insurance and indemnity agreement; to provide for a revised form of said Series 2003RF Bonds and for the execution of said Series 2003RF Bonds; to approve the form and authorize the execution of amendments to standby Bond Purchase Agreements between the City and the Banks providing liquidity support for said Series 2003RF Bonds; to authorize the termination of the interest rate exchange agreements between the City and certain counterparties in connection with said series 2003RF Bonds and approving the form and authorizing the execution of such other instruments and documents necessary or desired in connection with the termination of such interest rate exchange agreements; granting the Mayor the authority to approve and execute such other instruments and documents necessary or desired in connection with the cancellation of the MBIA financial guaranty insurance policy and the substitution of the financial guaranty insurance policy from assured guaranty Corp. and providing for incidental action; authorizing certain officials and employees of the City to take all actions required in connection with the cancellation of the MBIA financial guaranty insurance policy and the substitution of the financial guaranty insurance policy from assured guaranty Corp.; providing certain other details with respect thereto; providing for severability; providing an effective date; and for other purposes. **(Held, 1/14/09)**

HELD

TO RESCIND ALL PERMITS GIVEN BY THE CITY OF ATLANTA REGARDING 4141 WIECUA ROAD

09-O-0098 (32) An Ordinance by Councilmember Howard Shook rescinding all permits given by the City of Atlanta regarding 4141 Wieuca Road, and for other purposes. **(Held, 1/14/09)**

HELD

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE THE STATE OF GEORGIA CONTRACT GTA0001119

09-R-0182 (33) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize the State of Georgia Contract GTA0001119 with Ricoh Americas Corporation for the lease of four (4) MP33505SPF Copiers/Printers for a period of thirty six (36) months in an amount not to exceed fifty seven thousand one hundred forty dollars and sixty four cents (\$57,140.64) with all contracted work being charged to and paid from FDOA: 5401 (Solid Waste Services Revenue 130201 (DPW Solid Waste Administration) 5222002 (Repair & Maintenance); and for other purposes. **(Held, 1/28/09)**

HELD

TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH MOTOROLA, INC.

- 09-R-0183 (34) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with Motorola, Inc. utilizing the State of Georgia Technology Authority Agreement No. 980-2800008 for the purchase of a Georgia Global Positioning System Two-Way Radio Communication Equipment, on behalf of the Department of Watershed Management, Office of Safety and Security, in an amount not to exceed three hundred seventy-five thousand seven hundred fifty dollars and no cents (\$375,570.00); all contracted work will be charged to and paid from Fund, Department Organization and Account Number 5052 (Water & Wastewater Revenue) 170902 (DWM Watershed Safety) 5212001 (Consulting/Professional) 1555000 (Risk Management); and for other purposes. **(Held, 1/28/09)**

HELD

TO AMEND CHAPTER 62, ARTICLE II, SECTION 62-46

- 09-O-0203 (35) An Ordinance by Councilmember Ceasar C. Mitchell to amend Chapter 62, Article II, Section 62-46 of the Code of Ordinances of the City of Atlanta, Georgia (Entitled "Pretrial Diversion Fee") so as to specify the General Fund uses for which the fees shall be allocated; to waive conflicting Ordinances; and for other purposes. **(Held, 1/28/09)**

HELD

TO AUTHORIZE THE CHIEF PROCUREMENT OFFICER TO UTILIZE THE STATE OF GEORGIA, GEORGIA TECHNOLOGY CONTRACT #980-280008

- 09-R-0259 (36) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize the State of Georgia, Georgia Technology Contract #980-280008 for the purchase of a Motorola Turnkey Solution including radios and software for City of Atlanta, Department of Aviation; in an amount not to exceed \$173,891.16. Equipment purchased will be charged to and paid from FDOA 5502 (Airport Renewal and Extension Fund), Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5410001 (Consulting/Professional Services), Functional Activity 7563000 (Airport); and for other purposes. **(Held, 2/11/09)**

HELD

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT (IGA)

- 09-R-0263 (37) A Resolution by Councilmember Ivory Lee Young, Jr. authorizing the Mayor or her designee to enter into an amendment to the Intergovernmental Agreement (IGA) authorized by Resolution 08-R-1694 with the Atlanta Development Authority so as to ensure that the expenditure of Westside TAD Funds through In Rem action can be used to effect not only the demolition of also the Clean and Close of structures located within the English Avenue Neighborhood identified as abandoned and/or dilapidated by the Bureau of Code Compliance; and for other purposes. **(Held, 2/11/09)**

HELD**TO PROPOSE THE CREATION OF THE SOUTHWEST ATLANTA COMMUNITY IMPROVEMENT DISTRICT**

- 09-R-0264 (38) A Resolution by Councilmembers H. Lamar Willis and Jim Maddox proposing the creation of the Southwest Atlanta Community Improvement District as authorized by the General Assembly of the State of Georgia in the Atlanta Community Improvement District Act, contingent upon the consent of the majority of the owners of real property within the District boundaries; and for other purposes. **(Held, 2/11/09)**

HELD**TO REQUEST THE DEPARTMENT OF FINANCE TO PROVIDE A REPORT TO THE FULL COUNCIL**

- 09-R-0270 (39) A Resolution by Councilmember Mary Norwood requesting the Department of Finance to provide a report to the Full Council regarding the Plan of Financing for Department of Watershed Projects to be funded by Commercial Paper; and for other purposes. **(Held, 2/11/09)**

HELD**TO ADOPT UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965**

- 09-O-0271 (40) An Ordinance and Charter Amendment by Councilmembers C.T. Martin, Ivory Lee Young, Mary Norwood, Anne Fauver and Natalyn Archibong adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (GA. Laws 1965, p. 298, et seq.) as amended, to create a new Section 3-502.1 (entitled "Ordinance Required To Impose Furloughs on certain Public Safety Employees") of the Charter of the City of Atlanta, Georgia (GA Laws 1996, P. 4469, et seq.) approved April 15, 1996, as amended, which shall provide that an Ordinance adopted by a majority vote of the Council shall be required in order to impose furloughs on certain Public Safety Employees; to repeal conflicting Ordinances and Charter Amendments; and for other purposes. **(Held, 2/11/09)**

HELD**TO RATIFY AND AFFIRM THAT CERTAIN INTERDEPARTMENTAL MEMORANDUM OF UNDERSTANDING**

- 09-O-0277 (41) An Ordinance by Finance/Executive Committee to ratify and affirm that certain Interdepartmental Memorandum of Understanding between the Department of Finance and the Department of Watershed Management dated December 23, 2008, establishing the terms and conditions for the repayment of an obligation owed by the General Fund to the Watershed Management Enterprise Fund; and for other purposes. **(Held, 2/25/09)**

HELD

TO RATIFY AND AFFIRM THAT CERTAIN INTERDEPARTMENTAL MEMORANDUM OF UNDERSTANDING

- 09-O-0278 (42) An Ordinance by Finance/Executive Committee to ratify and affirm that certain Interdepartmental Memorandum of Understanding between the Department of Finance and the Department of Watershed Management dated January 27, 2009, establishing the terms and conditions for calculating and assessing Pilot and Franchise Fees, and offsetting outstanding water and sewer charges between the General Fund and the Department of Watershed Management Enterprise Fund in the amount of \$4,000,000 per year for four years beginning Fiscal Year 2010; and for other purposes. **(Held, 2/25/09)**

HELD

TO AUTHORIZE THE MAYOR TO ENTER INTO GRANT AGREEMENTS

- 09-R-0302 (43) A **Amended** Resolution by Finance/Executive Committee authorizing the Mayor to enter into Grant Agreements with the State of Georgia Department of Community Affairs, enabling the City to accept Local Assistance Grants not to exceed a total amount of \$200,000 (two hundred thousand dollars). **(Held, 2/25/09); (Finance/Executive Committee Amendment corrects the cost from \$105,000 to \$131,000, 3/11/09)**

FAVORABLE AS AMENDED

Vice Chairperson Moore stated that we need to amend the paper to reflect \$200,000 to \$105,000.

Mr. Larry Stokes: Research and Policy Analyst addressed the Committee by stating that the \$200,000 is for a leeway for additional Grants. They did not know the exact amount. Councilmember Smith offered a motion to **Approve as Amended, 5 Yeas**. Mr. Stokes stated that we need to amend it because that is the amount of the Grants in the Resolution. Vice Chairperson Moore stated that there are additional Grants in the Resolution. She then Reconsidered the paper to Amend it from \$105,000 to \$131,000.

TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH THE ATLANTA DEVELOPMENT AUTHORITY (ADA)

- 09-R-0369 (44) A Resolution by Councilmember Jim Maddox authorizing the Mayor to execute an Agreement with the Atlanta Development Authority (ADA) regarding the Management and implementation of the Activities and Programs of the Advisory Committee on International Relations (ACIR); and for other purposes. **(Held, 2/25/09)**

HELD

TO AMEND SECTION 2-1982

- 09-O-0370 (45) An Ordinance by Councilmember Jim Maddox to amend Section 2-1982 of the Code of Ordinances of the City of Atlanta, Georgia, pertaining to the Advisory Committee on International Relations (ACIR), so as to expand the scope of the purpose of ACIR; to waive conflicting Ordinances; and for other purposes. **(Held, 2/25/09)**

HELD

TO AUTHORIE THE USE OF FUNDS RECEIVED IN CONJUNCTION WITH THE FEDERAL ECONOMIC STIMULUS PACKAGE

09-O-0371 (46) An Ordinance by Councilmember Jim Maddox by the Atlanta City Council requiring Council approval authorizing the use of Funds received in conjunction with the Federal Economic Stimulus Package; and for other purposes. **(Held, 2/25/09)**

HELD

TO AMEND SECTION 114-429 (VOLUNTARY SHARED LEAVE PROGRAM)

09-O-0372 (47) An Ordinance by Councilmember C.T. Martin amending Section 114-429 (Voluntary Shared Leave Program) of the City of Atlanta Code of Ordinances for the purpose of allowing Employees to donate accrued leave (Sick or Annual) to eligible Employees in need of a donation prior to that individual having to exhaust all of their own leave; and for other purposes. **(Held, 2/25/09)**

HELD

TO TRANSFER \$50,000.00 FROM DISTRICT 8 COUNCILMEMBER EXPENSE ACCOUNT

09-O-0377 (48) An Ordinance by Councilmember Clair Muller to transfer \$50,000.00 from District 8 Councilmember Expense Account to the Department of Public Works Office of Transportation to be used to assist in funding portions of the Peachtree Battle Neighborhood Intersection Project; and for other purposes. **(Held, 2/25/09)**

HELD AND SUBSTITUTED

Councilmember Muller offered a motion to Substitute and Hold.

TO AMEND CHAPTER 3 SECTION 6-304

09-O-0378 (49) An Ordinance by Councilmembers Felicia A. Moore, Carla Smith, Howard Shook, Joyce M. Sheperd, H. Lamar Willis, Mary Norwood, Jim Maddox, Clair Muller, Kwanza Hall, C. T. Martin and Anne Fauver to amend Chapter 3 Section 6-304, Budget Amendments, of the Code of Ordinances, City of Atlanta, Georgia, so as to add a new Sub-Section (e) requiring Council approval of Interdepartmental transfer of Appropriations within, from or to the City's total Investment Portfolio; and for other purposes. **(Held, 2/25/09)**

HELD

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO TRANSFER FUNDS FROM EACH COUNCILMEMBER ACCOUNT

09-O-0386 (50) An Ordinance by Councilmember C.T. Martin by the Atlanta City Council authorizing the Chief Financial Officer to transfer Funds from each Councilmember Account, as designated by individual Council Member, to cover the cost of hiring a Consultant to write Grant Requests on behalf of the Department of Police and the Department of Fire and Rescue; and for other purposes. **(Held, 2/25/09)**

HELD

ITEMS NOT ON AGENDA

Sergeant Scott Kraher: President of the International Brotherhood of Police Officers addressed the Committee by stating that we are having concerns with the Worker's Compensation situation. Over the last year or two Ms. Mickey Walker has systematically denied worker's compensation for Atlanta Police Officers that have been shot or injured on the job. These Officers have put their lives on the line. Up until the last couple of years they have received their standard care. These Officers need day to day equipment and care. These Officers are in pain because they are not receiving the treatment they need. Ms. Walker has denied their claims. Councilmember Maddox asked if they are getting the treatment at a later date. Sergeant Kraher responded that they are getting it after fighting for it. CFO Glass stated that he received the letter from Sergeant Kraher on last Friday and has a meeting with Sergeant Archangelou. He has the Controller investigating it. He is very concerned about it. It troubles him that they are not getting their care. Councilmember Maddox stated that he is equally concerned. What grounds are they are denying it on? CFO Glass responded that he just received the letter and is having it investigated. He has asked his staff person about it and she pulled out information regarding the laws and regulations for worker's compensation. Councilmember Maddox stated that he is concerned if it is something that will cost the City more money later. Sergeant Kraher asked about the COPs Grant of \$4 million dollars that will be shared with Fulton County. We need to pay attention to how it is spent. The funds are available for salaries, such as furloughs. He then gave the legal opinion of the Police Officers furlough position.

TO AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT NO. 2 TO CONTRACT FC-4734

09-R-0492 (1) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Amendment No. 2 to Contract FC-4734 Cooperative Agreement for Fast Tract/Repairs/Construction Tasks between the City of Atlanta and Centennial Contractors Enterprises, Inc., on behalf of the Office of the Mayor, to include the relocation of Atlanta Police Department furniture and equipment from City Hall East to the new Public Safety Headquarters, in an amount not to exceed two hundred fifty thousand dollars and no cents (\$250,000.00). All funds shall be charged to and paid from Fund (7701), Dept 130308, Account 5239004, Funct/Act 4270000, Project 600098, Award 69999; and for other purposes.

FORWARD WITH NO RECOMMENDATION ON CONDITION

Deputy Chief Turner: of the Police Department addressed the Committee by stating that we want to mandate a paper to add \$250,000 to facilitate the move from City Hall East to the new Public Safety Headquarters.

Mr. Bob Shealey: of the Mayor's Office of Special Projects addressed the Committee by stating that this will complete the major construction. They will finish the contract for the move. Vice Chairperson Moore asked where will the money come from? Deputy Chief Turner responded that the money is coming from the Red Light Camera funds. Vice Chairperson Moore stated that she thought the money was General Fund Revenue. Why is the sky going to fall if it is not passed? Mr. Shealey responded that the money would generally come from the Capital Budget funds. This plan has been in place for six months. The furniture is being completed along with the phone system. Timing is very critical. Vice Chairperson Moore stated that if we accept it, we would come back to it. Councilmember Muller asked how much money does the Red Camera bring in? Deputy Chief Turner responded that this is money collected from the past.

Councilmember Maddox offered a motion to **accept the paper today, 4 Yeas**. CFO Glass stated that there is money in the account, but it is a Trust Account.

Mr. Peter Andrews: Senior Assistant City Attorney addressed the Committee by stating that it does not say what it can be used for. Red Light Camera is for public health, etc. We have not had a chance to finalize this. Vice Chairperson Moore stated that we should Hold this. Mr. Pridgeon asked for a motion to move **Forward with No Recommendation on Condition** because it would not come to Full Council until April 20th. Vice Chairperson Moore stated that her problem is that here at this meeting is where we should have the information. She guess the revenue anticipated was supposed to be budgeted another way. Councilmember Maddox offered a **Substitute motion to move Forward on Condition by providing the information by Monday**. Councilmember Winslow asked if we borrowed \$1.2 million dollars for furniture. Mr. Shealey responded that it was \$2.8 million dollars from Wachovia for modular furniture. We have 230 Police Officers in small areas. Councilmember Winslow stated that she wants to make sure we are not doing something illegal. Senior Assistant City Attorney Andrews responded that he has not had the opportunity to look at it. We will have an answer by Monday. CFO Glass asked what happens with the 60% used. Mr. Shealey responded that it is about 30% smaller. We are using less paper and smaller computer equipment. The new work station is 4 x 5. Instead of over 400 we are able to put over 600. The new chairs are 3 ½ inch wider. We are going to use some of the furniture at the Public Safety Annex. We originally budgeted \$3.5 million dollars for the Annex. Councilmember Winslow stated that in the near future we need to stop borrowing. Mr. Shealey responded that the Beltline is already being paid back. It is considered a Capital Lease. Councilmember Smith stated that she supports it because crime is a huge problem in her District. Vice Chairperson Moore responded that she will not support it. It does not have anything to do with crime. What does this company do? Mr. Shealey responded that they work for municipality agencies. They do small renovations and not large construction orders. They will move the file cabinets, etc. Vice Chairperson Moore asked about preparing the furniture. Mr. Shealey responded that there are certain modifications that you don't want to spend on large contractors. One task is construction modification, number #1 is the interview room for detainees, we had to include additional capabilities. We are changing to a more secure area for the interviews. These were anticipated in the original budget. This company will 1) make the modifications, 2) modify the interview rooms to make them more functionable, and 3) move 360 people with all of their materials. It includes IT people to break down the computers. We will have IT people put them back up. The actual move is for the first weekend in April. Vice Chairperson Moore asked if you will come back and ask for more money. She then asked about the time line. Mr. Shealey responded that it is the relationship with the Operation Center and the E-911 Center. We have not planned to keep E-911 joint operations.

Ms. Katrina Taylor: of the Department of Public Works addressed the Committee by stating that we found that there are no stipulations on how to spend the money. There is no legislation. We are looking at using funds we have such as sidewalk hazards. Vice Chairperson Moore asked how did you determine that is where the money is. Deputy Chief Turner responded that this is the first time we received transferred funds from Public Safety funds. Vice Chairperson Moore stated that we should not say that this is Public Safety money. Ms. Taylor responded that we are paying them for a service. Councilmember Maddox stated that is why we want to move forward. Mr. Pridgeon responded that we will provide the information. Councilmember Smith stated that we just approved two more red light cameras to help improve traffic. Councilmember Maddox offered a motion to move **Forward With No Recommendation on Condition, 4 Yeas, 1 Nay**. Vice Chairperson Moore stated that she wants the task order, time line, future costs, original budget and how much has been spent and areas taken care of.

TO OPPOSE HOUSE BILL 558

- 09-R-0489 (1) A **Substitute** Resolution by Finance/Executive Committee opposing House Bill 558, Deannexation Procedures; now being considered by the Georgia General Assembly; and for other purposes. **(Finance/ Executive Committee Conditional passages is bringing in a new Substitute, 3/11/09); (Finance/ Executive Committee Conditional passage that would reflect where it is in the legislation body, 3/11/09)**

FAVORABLE ON CONDITION

Ms. Middleton stated that **HB 558** has made it out of the House Rules Committee and tomorrow is the last day to get it out of the House Committee. It takes into consideration the City's finances. We are to oppose this Bill. Councilmember Maddox offered a motion to **Approve on Condition of bringing in a Substitute that would reflect where it is in the legislation body, 4 Yeas.**

TO OPPOSE HOUSE BILL 644

- 09-R-0490 (2) A Resolution by Finance/Executive Committee opposing House Bill 644, creating the Major Airport Operations Board; now being considered by the Georgia General Assembly; and for other purposes.

FAVORABLE

Ms. Middleton stated that this is **HB 334** and is in the Transportation Committee. It is for Airports with over 400,000 landings per year. It would control all operations at the Airport. Councilmember Maddox asked who introduced it and what area are they from. Ms. Middleton responded Representative Smith out of Watkinsville, in the Athens area. Councilmember Maddox offered a motion to **Approve, 4 Yeas.** He then asked if anyone was trying to do anything for the City and not trying to harm us. There has to be some changes over there. We have the busiest airport that is run better than any other in the U.S.

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE 2009 AIRPORT BUDGET

- 09-O-0491 (1) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the 2009 Airport Budget, on behalf of the Department of Aviation, in an amount not to exceed two hundred thousand dollars and no cents (\$200,000.00) by transferring funds from 5502 (Airport Renewal and Extension Fund) 00001 (Default/Balance Sheet) 5999901 (Reserve Conversion Account-Class 1) to 5502 (Airport Renewal and Extension Fund) 180203 (DOA Aviation Commercial Paper) 5730013 (Arbitrage Rebate) 7563000 (Airport), to pay 2008 Arbitrage Rebate due on the 2005B Commercial Paper Notes; and for other purposes.

FAVORABLE ON FIRST READ

Mr. Carey Duncan: addressed the Committee by stating that the State is not trying to do us in. They want us to explain how the money is spent. Are the figures correct? Over the years we have had smoking mirrors. We need someone who can furnish the new Mayor with confidence. The former CFO gave the City an F. We must have confidence in our government. Watershed Management has to show us the books. You have to listen to the people. The collection of the .25 cents was never accounted for. There are consequences with using video gambling. Councilmember Moore stated that

there are municipal forms of government. Council gets the last word at the end of the day. The question is if Council uses it authority.

General Larry Platt: addressed the Committee by stating that Councilmember Moore is a strong eagle. The money needs to go to the poorer Districts. He likes what she stands for at City Hall. We need to help feed the hungry.

Concluding, Mr. Duncan added that people are saying that the change will come with a new Mayor. It will not if Council does not make decisions and agree to disagree.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 4:45 p.m.

Respectfully submitted,

Jim Glass, CFO

Charlene Parker
Recording Secretary

ADJOURNMENT

“The Department of Finance... because customer service is important to us.”